UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

PHILLIP L. KILE, SR. and PATRICIA KILE, Plaintiffs,))))
v. INTERNATIONAL TRUCK AND ENGINE CORPORATION,) Case No. 3:04-1069) JUDGE ECHOLS))
Defendant.)

ORDER

For the reasons set forth in the Memorandum entered contemporaneously herewith, Defendant International Truck and Engine Corporation's Motion for Summary Judgment (Docket Entry No. 37) is hereby DENIED.

This matter is referred to the Magistrate Judge for further pretrial case management pursuant to Local Rule 11 and to ensure that the case is ready for trial as scheduled on March 14, 2006, with the pretrial conference scheduled for February 13, 2006, at 1:00 p.m.

IT IS SO ORDERED.

ROBERT L. ECHOLS

UNITED STATES DISTRICT JUDGE